

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES E. HERMANSON,)	3:20-cv-00311-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	December 23, 2020
JOHN KEAST, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KAREN WALKER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion to Strike Defendants' Answering Brief" (ECF No. 18), which also sought sanctions (filed separately by the court as ECF No 19, "Motion for Sanctions").

It appears from Plaintiff's motion that he seeks to strike Defendants' Answer (ECF No. 14), not an "Answering Brief." The Defendants are required by the Federal Rules of Civil Procedure - and more specifically this court's order in ECF No. 12 - to file an answer in response to Plaintiff's complaint. Therefore, Plaintiff's Motion to Strike Defendants' Answering Brief (ECF No. 18) is **DENIED**.

Plaintiff can challenge the assertions made in Defendants' Affirmative Defenses during discovery and after that via a dispositive motion, if appropriate. The veracity or substance of a party's assertion of an affirmative defense is not addressed by a motion to strike. Therefore, Plaintiff's Motion for Sanctions (ECF No. 19) is **DENIED**.

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: _____/s/_____
Deputy Clerk